

City of West Allis Matter Summary

7525 W. Greenfield Ave. West Allis, WI 53214

Printed on 6/25/2007

File Number

Title

Status

2007-0416

Communication

In Committee

Communication from Mayor Bell vetoing the Council's action of June 19, 2007 regarding payout of claim by Jim Henry for property damage allegedly sustained at 9141 W. National Ave. on December 28, 2006.

Introduced: 7/3/2007

Controlling Body: Common Council

COMMITTE	E RECOMM	ENDATION_						
ACTION DATE: SIGNATURE	MOVER OF COMMIT	SECONDER	Barczak Czaplewski Dobrowski Kopplin Lajsic Narlock Reinke Sengstock Vitale Weigel TOTAL	AYE	NO	PRESENT	EXCUSED	
Chair	Vice-Chair			C.I.	Member			
COMMON CO	OUNCIL AC	TION P	ace on	tile				
ACTION DATE: 7/3/07	MOVER	SECONDER	Barczak Czaplewski Dobrowski Kopplin Lajsic Narlock Reinke Sengstock Vitale Weigel TOTAL	AYE	NO	PRESENT	EXCUSED	





MAYOR'S OFFICE

JEANNETTE BELL

Mayor

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> mayor@ci.west-allis.wi.us www.ci.west-allis.wi.us

June 22, 2007

Honorable Members of the West Allis Common Council 7525 W. Greenfield Avenue West Allis WI 53214

Subject:

Veto of Council Action Regarding Payout of Claim by

Jim Henry for Property Damage Allegedly Sustained at

9141 W. National Ave. on December 28, 2006

Dear Common Council Members:

This letter is to notify you that I am vetoing the Council's action of June 19, 2007 regarding the 50% payout of the claim by Jim Henry for property damage allegedly sustained at 9141 W. National Ave. on December 28, 2006.

I am vetoing this action because I agree with the analysis by staff as follows:

- 1. The Engineering Dept. and Public Works staff's opinion is that the City is not negligent in this claim because
 - a.) the City had no prior knowledge of the break or that a problem existed, and
 - b.) proper notification and procedures were not followed by the plumbing contractor.
- 2. The City Attorney's office opinion that to pay this claim would set a bad precedent for the City in regards to such similar future claims.

Sincerely, Jeannette Bell

Jeannette Bell,

Mayor

RECEIVED

JUN 2 2 2007

CITY OF WEST ALLIS CLERK/TREASURER

JB:jfw

cc: Scott Post, City Attorney

MYR\CORR\VETO.File 2007-0052.061907